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PATENT APPLICATION

ATTORNEY DOCKET NO. 10972005-2

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): John M. Brown, et al.

Confirmation No.: 2999

Application No.: 10/657,946

Examiner: TBA

Filing Date: September 9, 2003

Group Art Unit: TBA

Title: System and Method For Assessing Performance Optimizations In A Graphics System

Mail Stop 16
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND
IMPROPER CHARGE OF DEPOSIT ACCOUNT

I. **REFUND REQUEST**

This is a request for a refund in the amount of \$ 1,500.00, with respect to the charge to the Deposit Account No. 08-2025, shown on the statement dated _____, for the above identified patent application.

II: **FEES CHARGED FOR WHICH REFUND IS REQUESTED**

Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b)

III: **EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

The Request for Refund is filed concurrently with a Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 C.F.R. 1.137(b). The Response to Notice to File Missing Parts of Nonprovisional Application was timely filed on January 27, 2004 (Attachment B). Therefore abandonment of the above-identified application was due to USPTO error. No Fee for a Petition to Revive of this application is necessary and should, therefore, be refunded.

IV: **MANNER OF REFUND**

Please make refund of \$ 1,500.00 crediting Account No. 08-2025.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450

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I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-6500.
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Respectfully submitted,

John M. Brown, et al.

By _____

Michael G. Verga, Esq.

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Date : January 11, 2007

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